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| <b>DIVISION OF MINES</b>                | <b>CHAPTER: IX Certification</b>   |
| <b>PROCEDURES MANUAL</b>                |                                    |
|   | <b>PROCEDURE NO: 1.09.01</b>       |
|   | <b>ISSUE DATE: January 1, 1997</b> |
| <b>SUBJECT: Certification Of Miners</b> | <b>LAST REVISED: 08/08</b>         |

## **OBJECTIVE AND INTENT**

To provide guidance to DM personnel to enable consistent and accurate communication regarding the certification process.

## **GENERAL**

### **1. REGULATORY REQUIREMENTS**

- Virginia’s Mine Safety Act requires persons working in and around a mine site be certified for certain jobs they perform in the coal mining industry. Refer to Board of Coal Mining Examiners Requirements for a complete listing of required certifications and experience/education needed to obtain certification.

### **2. PROCESSING OF APPLICATIONS FOR CERTIFICATIONS**

- An applicant must submit the following:
  - a. \$40.00 fee (check or money order suggested if mailed) payable to the Treasurer of Virginia. (See “Notice To All Applicants For Certification Examination” regarding non-refundable fee. Notice is attached to this procedure.)
  - b. Complete a DM-BCME-1 form, Application for Certification Examination
  - c. Notarized work experience form, DM-BCME-2
  - d. Verification of first aid (5000-23, EMT or First Responder card)
- Applications may be submitted to the Division of Mines Big Stone Gap or Keen Mountain office. **The application and \$40.00 fee must be received at least five working days prior to the specified examination day.** Work experience and verification of first aid must be received prior to certification.

### **3. GRADE REQUIREMENTS**

- First Class Mine Foreman, Surface Foreman, Surface Blaster, and Underground Shot Firer must pass an examination with 85% on each section. All others are required to pass at 80% on each section.

#### 4. EXAMINATIONS

- The Regulatory Boards Administrator will present a brief overview of the following prior to each examination:
  - a. Instructions regarding examination such as proper use of answer sheet, completion of map, electrical drawings, etc.
  - b. Monitoring of examination
  - c. Retake procedure
  - d. Recertification requirements
  - e. Reciprocity, if applicable
  - f. Grading process
  - g. Issuance
  
- An examination can be taken no more than three times in a one-year period.
  
- If all or part of an examination is failed, the applicant must wait at least ten working days to retake.
  
- If a section is failed the second time, the applicant must wait at least 10 working days and must retake entire exam.
  
- If on the third take the applicant fails any section of the exam, the applicant must wait the greater of one year from the date of the first examination, before retaking the examination.
  
- If more than a year lapses before the retake of a section(s), the entire application and examination procedure must be completed.
  
- No oral examinations are administered.
  
- Examinations begin at 8:00 a.m. and must be completed by 4:00 p.m. Exams are held once a month rotating locations: one at Keen Mountain Office and one at the Big Stone Gap Office. The examination roster is limited to 20 clients and only 5 of the 20 scheduled may be First Class Mine Foreman examinations due to the space necessary to work on the maps that are a part of the examination. Electrical examinations that require the practical sections must be limited to four per examination date due to time required to administer the practical section of the examination. This does not prevent special examinations where provisions are made for larger numbers of clients, such as when an electrical or mine foreman class is examined.
  
- If gas detection is required for certification, the gas examination will be administered the day of the examination.

## 5. CERTIFICATION UPDATE

- The Certification Update Committee consisting of five members from various sections of DM and chaired by the Regulatory Boards Administrator will function to ensure a quality certification program for coal industry personnel by developing study guides and examinations based on the study guides, state, and federal laws.
- The committee determines projects based on the need of the coal industry, recommendations from the Board, or changes necessitated by law or regulation.
- Reference materials are obtained from various sources such as state and federal laws, regulations, and the MSHA academy.
- The initial development of the examination establishes a data bank that will enable generation of a different examination for each individual examined.

## PROCEDURE

### 1. GENERAL COAL MINER

- Every person working in a coal mine in Virginia shall hold a general coal miner certificate issued by the Board of Coal Mining Examiners. Any person who has been employed to work in a coal mine in Virginia prior to January 1, 1996, shall submit a complete application for certification as a general coal miner by September 30, 2007. The Board of Coal Mining Examiners shall issue a general coal miner certification upon submittal of a complete application.
- Each applicant for a general coal miner certificate who has not been employed to work in a Virginia coal mine prior to January 1, 1996, shall prove to the Board that he has knowledge of first aid practices and has a general working knowledge of the provisions of this Act and applicable regulations, pertaining to coal mining health and safety. Each applicant shall have completed the new miner training requirements of 30 CFR Part 48 or submit proof of at least one year of experience in a coal mine prior to issuance of the General Coal Miner certification.
- Coal operators and independent contractors working at a Virginia coal mine are responsible under the Mine Safety Act to assure that all of their employees commencing work, possess a certificate issued by the Board. **This requirement applies to any new inexperienced person entering the work force, and to anyone moving to Virginia's coal mining industry from another state.**
- Independent contractor employees who are directly involved in the actual coal mining process are required to meet the general coal miner certification requirement. **Being directly involved in the mining process is interpreted to mean performing activities in extracting, hauling and preparing coal mined.**

- Following completion of requirements for certification, a certification card will be issued for General Coal Miner. Certification cards will be produced for General Miner Surface, and General Miner Underground. Requirements for certification:
  - a. \$20.00 fee
  - b. Application
  - c. Verification of Training form DM-BCME-3
  - d. Verification of First Aid – MSHA 5000-23 Annual Retraining or New Miner Inexperienced Training acceptable (If not done as training verified on Form DM-BCME-3)
  - e. Gas detection for underground

## 2. RECIPROCITY

- Currently, DM recognizes reciprocity for Surface Blasting, MET\* (Mine Emergency Technician), First Class Mine Foreman, Surface Foreman and Electrical Repairman\*\* Certifications from Kentucky; Surface Blasters, MET\* (Mine Emergency Technician), First Class Mine Foreman, Surface Foreman, First Class Shaft and Slope Foreman and Electrical Certifications from West Virginia.  
*Note: Reciprocity may be used only one time to achieve certification.*

\*MET (Mine Emergency Technician) Certification, current at time of class. A person certified as a Mine Emergency Technician in Kentucky or West Virginia can meet the Virginia Advanced First Aid program certification by:

- a. providing a letter of Good Standing from Reciprocating state
- b. providing a copy of current MET card and,
- c. attending an eight hour Advanced First Aid Reciprocity Class.

\*\* Anyone holding a current Electrical Repairman Certification from Kentucky or West Virginia may meet reciprocity requirements if the certified person:

- a. submits a copy of KY or WV electrical card,
- b. submits a copy of MSHA electrical card,
- c. submits a copy of electrical retraining,
- d. completes and submits a DM-BCME 2, Verification of Work Experience (verifying one year of electrical experience), and,
- e. submits a letter of good standing from reciprocating state
- f. NOTE: Individuals receiving electrical certification through this process are NOT eligible for reciprocity from VA to WV or KY under the Reciprocity Agreement between the states.

- To receive certification by reciprocity:
  - a. Submit application, DM-BCME-1
  - b. Submit DMLR endorsement application, DMLR-BCME-4 (Surface Blaster only)
  - c. \$40.00 fee

- d. Verification of certification (card or documentation from state agency where certification is held.)
- e. Verification of First Aid (5000-23, EMT, First Responder)
- f. Electrical reciprocity must provide verification of current electrical retraining.
- g. Surface Foreman must submit to and pass with a minimum score of 85%, the components of the Virginia mine foreman examination related to Virginia mining laws, rules and regulations, Mined Land Reclamation and the Practical exercises.
- h. First Class Mine Foreman must submit to and pass with a minimum score of 85%, the components of the Virginia mine foreman examination related to Virginia mining laws, rules and regulations and the Practical exercises.

### 3. REPLACEMENT CARDS

- Replacement cards for valid certifications may be obtained by payment of \$10.00 for each card at the Keen Mountain or Big Stone Gap offices. The name as it appears on the card, the certification number and if possible, a copy of the old card should be presented. This correct return mailing address and telephone number should be included when requesting by mail.

### 4. STUDY MATERIALS

- Study guides/materials are available through either the Keen Mountain or Big Stone Gap offices. As prices are subject to change, cost should be verified prior to ordering.
  - a. Diesel Engine Mechanic \$9.00
  - b. Electrical Study Guide \$20.00
  - c. First Aid For Miners \$9.00
  - d. First Class Mine Foreman \$30.00
  - e. Hoisting Engineer \$6.00
  - f. Shot Firer \$5.00
  - g. Surface Blaster \$14.00
  - h. Surface Facilities Foreman \$7.00
  - i. Surface Foreman \$12.00
  - j. Top Person \$5.00
  - k. Prep Plant Foreman/Dock Foreman Study Guide \$8.00

#### **Available At No Charge**

- a. Coal Mine Safety Laws of Virginia
- b. DMLR endorsement for blasting
- c. Mine Gases Handbook
- d. DM Regulations